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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CR 07-0428 MMC
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del> ORDER
	)	CONTINUING DATE FOR SENTENCING
vs.	)	HEARING
	)	
CARMEN CHAN and PAUL LEUNG,	)	
	)	
Defendants.	)	
_____	)	

This matter is currently on the Court's calendar for change of plea hearing Friday, January 30, 2009. The parties hereby request and stipulate to continue the date to March 18, 2009 for the reasons set forth herein.

Defendants filled out Probation forms immediately after the change of plea hearing, for some reason the Probation Office inadvertently did not assign the case to a Probation Officer until sometime around the beginning of December. Defendants interviewed with the assigned Probation Officer on December 16, 2008. In order to allow the Probation Officer sufficient time to prepare a Presentence Report, and for the parties to comment in accordance with Federal Rule of Criminal Procedure 32. AUSA Barton has a trial and out-of-district travel that makes her unavailable for approximately three

1 weeks in late February and early March. After consulting with all parties and the Probation Officer,  
2 March 18, 2009 is the first date that the parties are all available.

3  
4 SO STIPULATED.

5  
6 DATED: January 7, 2009

7 /s/ Denise Marie Barton  
8 Counsel for the Government

/s/Garrick S. Lew  
Counsel for Defendant Chan

/s/Matthew A. Siroka  
Counsel for Defendant Leung

ORDER


Good cause appearing;

sentencing

IT IS HEREBY ORDERED that the ~~change of plea~~ hearing in this matter be continued until

~~March 19, 2009~~. March 18, 2009.

DATED: January 12, 2009.

  
The Honorable Maxine M. Cheney  
United States District Court Judge